

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**BRUNSON ROBERTS
ADC # 127841**

PLAINTIFF

v. No. 5:12-cv-188-DPM-HDY

**JOHN HERRINGTON; BRIAN LEVENGOOD;
RAY HOBBS; RAYMOND NAYLOR;
G. LAY; M. WARNER; V. ROBERTSON;
J. HOLSTEAD; TINA GIBSON; MERLIN
FITZPATRICK; and JOHN DOES**

DEFENDANTS

ORDER

Roberts moves to dismiss all his claims against Fitzpatrick and Gibson, acknowledging no exhaustion. Magistrate Judge Deere recommends a grant, *Document No. 35*, and no one has objected. Motion, *Document No. 34*, granted. All Roberts's claims against Merlin Fitzpatrick and Tina Gibson are dismissed without prejudice

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

4 April 2013